

Senate File 2261

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AN ACT
PROVIDING PENALTIES FOR SPECIFIED LIQUOR CONTROL VIOLATIONS
INVOLVING A RETAIL LIQUOR CONTROL LICENSE, WINE PERMIT,
OR BEER PERMIT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 123.50, subsection 3, Code 2003, is
amended by striking the subsection and inserting in lieu
thereof the following:

3. If any licensee, wine permittee, beer permittee, or
employee of a licensee or permittee is convicted or found in
violation of section 123.49, subsection 2, paragraph "h", the
administrator or local authority shall, in addition to
criminal penalties fixed for violations by this section,
assess a civil penalty as follows:

a. A first violation shall subject the licensee or
permittee to a civil penalty in the amount of five hundred
dollars. Failure to pay the civil penalty as ordered under
section 123.39 shall result in automatic suspension of the
license or permit for a period of fourteen days.

b. A second violation within two years shall subject the
licensee or permittee to a thirty-day suspension and a civil
penalty in the amount of one thousand five hundred dollars.

c. A third violation within three years shall subject the
licensee or permittee to a sixty-day suspension and a civil
penalty in the amount of one thousand five hundred dollars.

d. A fourth violation within three years shall result in
revocation of the license or permit.

e. For purposes of this subsection:

(1) The date of any violation shall be used in determining
the period between violations.

(2) Suspension shall be limited to the specific license or
permit for the premises found in violation.

(3) Notwithstanding section 123.40, revocation shall be
limited to the specific license or permit found in violation
and shall not disqualify a licensee or permittee from holding
a license or permit at a separate location.

JEFFREY M. LAMBERTI
President of the Senate

CHRISTOPHER C. RANTS
Speaker of the House

I hereby certify that this bill originated in the Senate and
is known as Senate File 2261, Eightieth General Assembly.

MICHAEL E. MARSHALL
Secretary of the Senate

Approved _____, 2004

THOMAS J. VILSACK
Governor